

#8/7-2402
v. Jny



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ORIGINALLY FILED** PATENT APPLICATION
Docket No: 14531.5.1.5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Joe F. Britt, Jr., et al.

Serial No: 09/851,402

Filed: May 8, 2001

Confirmation No.: 1907

For: DOWNLOADING SOFTWARE FROM A
SERVER TO A CLIENT

Examiner: Steven Paul Sax

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RESPONSE TO OFFICE ACTION

Assistant Commissioner for Patents
Washington, D.C. 20231


Sir:

In the Final Office Action (paper no. 7), mailed May 22, 2002, the sole ground for rejection was a non-statutory double patenting rejection for applicants' parent application, Serial No. 09/437,887, filed November 9, 1999, (now issued as Patent No. 6,259,442, dated July 10, 2001, to Britt, Jr., et al). Applicants respectfully submit herewith a Terminal Disclaimer. Accordingly, this fully resolves the double patenting rejection.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

DATED this 9 day of July, 2002.

Respectfully submitted,


RICK D. NYDEGGER
Attorney for Applicant
Registration No. 28,651



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PATENT TRADEMARK OFFICE

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